



Tracing Ancestry in Scotland's Heritable Land Records

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Land records are sources which are often neglected by those doing Scottish research. A reason for neglecting them is often "my ancestor was too poor." Although these records contain more for the upper to middle classes, they also contain some of the lower classes as well. These records can be a goldmine of information.

Overview of Scotland Land Records

Types of Land Records:

- Services of Heirs
- Sasines
- Notarial Books
- Deeds
- Estate Records
- Valuation Rolls
- The Great Seal
- The Privy Seal
- Signatures

Information about these land records can be found in the FamilySearch Wiki at wiki.familysearch.org and on the National Archives of Scotland website at <http://www.nas.gov.uk>.

When to use Land Records:

- After first searching Church records, Civil Registration, Census records, and Testaments.
- If you know your ancestor owned land
- If your ancestor was middle to upper class
- When searching for family relationships
- When you've hit a brick wall in your research

Important Tips to Know:

- Land in Scotland could not be bequeathed in a will before 1868.
- By law the eldest son inherited (primogeniture)
- If there was no son, property was equally divided among all the daughters
- The heir of the deceased had to prove his entitlement
- Understand different Scottish jurisdictions
- Only a small percent of people owned land, however we should always search for ancestral relatives in the land records because they give family relationships!
- Search the indexes for all ancestral surnames
- Understand some background about why these records were created

- You may encounter reading old handwriting, some Latin, and old Scottish terms

Services of Heirs and Retours

Process of Services of Heirs & Retours:

These are some of the most important Scottish land records for establishing relationships and identifying properties. Many records for Services of Heirs begin in the 1500s.

Heritable (real) or immovable property included land, buildings and mineral rights. When a landowner died:

1. Chancery courts sent a letter (Brief of Successions) to the Sheriff courts asking for an investigation to determine the legal heir of the deceased
2. A jury of local landowners was selected who determined the legal heir.
3. The Sheriff courts then sent a retour (decision and findings of the jury) back to Chancery courts
4. The Chancery court tried to track down the legal heir (even in America). These are the Services of Heirs.


Services of Heirs include: 1) indexes, 2) abstracts of the original records and 3) the original records.

How to Access Services of Heirs Records:

The Family History Library (FHL) collection include indexes, abstracts, and original records for Services of Heirs. The indexes are valuable as you may find family relationships!

List of Indexes:

***Decennial Indexes: 1700-1859** (Digitized- Free online!)

- Go to www.familysearch.org
- Go to the **Search** tab and click **Catalog**.
- Click **Film/Fiche Number** and enter the film number **990340**, then click **Search**.
- Click the link then scroll down until you see the camera icon, then click it. 

At the Family History Library access the books on the B2 Floor with the following call number:
Q book 941 R2ch vols. 1-4.

***Decennial Indexes: 1860-1959** (Not digitized)

Index to the records of services kept in chancery. A continuation of the Decennial indexes.

- Located in the Family History Library on the B2 Floor with the call numbers: **941 R2cha**.

***Heir of Tailie/Tailzie Indexes: 1685-1914** (Not digitized)

- Called a Deed of Tailzie or Entail
- Allowed a landowner to decide who would inherit the estate for generations to come

- Heir usually had to take the surname of the entailer along with the lands.
- Legal to entail estates between 1685-1914.
- After 1848, estates could be disentailed. These records continue beyond 1914.
- 1685-1784 = Located at the FHL; FHL Film **0,990,216 Item 4** or book **941 R2sh**.
- After 1833 records are held at the National Archives of Scotland

***Scottish-American Heirs Index: 1683-1883** (Digitized- Online! \$)

An alphabetical list of American heirs of deceased Scottish landowners extracted from the Services of Heirs.

1. Go to www.ancestry.com
2. Go to the **Search** tab and click **Card Catalog**.
3. In the **Title** search type **Scottish-American Heirs**
4. Click the link and begin searching

***Services of Heirs- Refused petitions: 1849-1851**

Services of Heirs: refused petitions

- FHL microfilm **0,231,903**

List of Abstracts:

A snippet of the original records. May include relationships.

***Abstracts 1530-1700:** Abstracts [in Latin] (Digitized- Free online!)

1. Go to www.familysearch.org
2. Go to the **Search** tab and click **Catalog**
3. Click **Film/Fiche Number** and enter the film number **908847**
4. Click the link and then click the link in red for the index. After searching the index, go back to the links in red and click either Vol. 1 or Vol 2.

***Abstracts 1855-1955:** Abstracts of Services of Heirs... (Not digitized)

At the Family History Library, access the books or films on the B2 Floor with the following call or film numbers:

- FHL book **941 P2scs v. 31-130** and FHL microfilms **1,441,082 – 1,441,099**


***Abstracts 1544-1699:** Retours of services of heirs: (The decision and findings of the jury sent from the Sherriff courts). At the Family History Library go to the Patron Desktop and click on CDs. Enter in the following CD number: **CD-ROM no. 252**

Original records: (Being digitized- Free online!)

These are the original Services of Heir records which the indexes and abstracts lead too! Each volume is self-indexed at the end of the volume.

***Original records: 1530-1900:** Services of Heirs [in Latin until 1847]

1. Go to www.familysearch.org

2. Go to the **Search** tab and click **Catalog**
3. Click **Film/Fiche Number** and enter the film number **231260**
4. Click the link **Services of heirs, 1530-1900**.
5. Scroll down until you get to the desired years. Click camera icon if available and view the images online  . If camera icon is not available, access film at the Family History Library.

To learn more about Services of Heirs and see what records are located in The National Archives of Scotland go to the following link: <https://www.nrscotland.gov.uk/research/guides/inheriting-land-and-buildings>

Sasines

Process of Sasines: (pronounced: “Sayzuns”)

The term ‘sasine’ comes from the action ‘to seize.’ A ‘sasine’ documented the act of:

- Taking possession of a piece of land, building or minerals in the ground.
- It was the transfer of land to a new proprietor.
- At times, it was symbolic for the grantor to pick up a rock or earth and hand it over to the grantee.
- Witnesses needed to be present when the grantee took possession of the land.
- Sasines were needed for any transfer of land and immovable property, including heritable land and Crown grants of land.
- These acts were recorded in the Register of Sasines and are a primary source for information on ownership of land and property.
- The register began in 1617 and continues to today, but earlier Sasines do survive from the mid-1500s.

Divisions of the Register of Sasines:

- General register (Containing sasines for anywhere in the country- centralized in Edinburgh))
- Particular registers (kept for each county)
- Burgh registers (kept for cities)

How to Access Sasines Records


The Register of Sasines is indexed from 1781 and easy to use. Prior to that year, there are partial indexes. The registers are currently being digitized. For a list of records available at the National Archives of Scotland in Edinburgh (NAS) go to the following link:

<https://www.nrscotland.gov.uk/research/guides/sasines>. The Family History Library has no original sasines in their collection but does have the following records regarding sasines:


***General Register of Sasines: Indexes 1617-1700 (Digitized!)**

Mention names, places, and relationships.

1. Go to www.familysearch.org
2. Go to the **Search** tab and click **Catalog**

3. Click **Film/Fiche Number** and enter the film number **216970**.
4. Click the link then find the desired year and click the camera icon .
5. **For indexes 1701-1720:** Not digitized! FHL film **0,874,420** or Q book **941 B4sp no. 3**)

***Particular Registers of Sasines: Abridgements-** (Free online!)

1. Go to www.familysearch.org
 2. Go to the **Search** tab and click **Catalog**
 3. Click **Film/Fiche Number** and enter the film number(s):
 - a. **217026** for Indexes of Persons to Abridgements; By county (1781-1868)
 - b. **217075** for Indexes of Places to Abridgements; By county (1781-1830)
 - c. **217088** for Abridgements of Sasines (1781-1868)
 4. Click the link then find the desired year and click the camera icon .
- (For additional Particular Registers check the **Catalog** under **Places** for the specific County).

***Burgh Registers of Sasines:** (Registers kept by the cities. Includes minute books)

1. Go to www.familysearch.org
2. Go to the **Search** tab and click **Catalog**
3. Click **Keyword** and type "Scotland Burgh Registers"
4. Find the desired city to get the FHL film or book numbers.

***Minute Books:** (Minutes regarding the Sasines)

1. Go to www.familysearch.org
2. Go to the **Search** tab and click **Catalog**
3. Click **Film/Fiche Number** and enter the following film number(s).
 - a. **216977** for General Register, Minute books (1717- 1782)
 - b. **216980** for Particular Register Minute books (1599-1793)- Being digitized!
4. Click the link then find the desired year and get the microfilm unless a camera icon is available



***Secretary Registers** (only 7 of 17 districts survive)

1. Indexes (1599-1690)- FHL **Q books 941 B4sp** (multiple volumes)

For other records search the library's online catalog at www.familysearch.org (do a Place search) for a burgh or county of interest, or for 'Scotland,' and the topic of 'Land and property.'